

12-502.

(a) (1) A person who willfully or knowingly violates this title is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$10,000 or imprisonment not exceeding 2 years or both.

[(b)] (2) Each associate, employee, manager, or partner who participates in or consents to a violation of this title is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or both.

[(c)] (3) Each violation of this title is a separate offense.

(B) (1) THE SECRETARY MAY IMPOSE ON A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE A PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION.

(2) IN SETTING THE AMOUNT OF THE PENALTY, THE SECRETARY SHALL CONSIDER:

(I) THE SERIOUSNESS OF THE VIOLATION;

(II) THE HARM CAUSED BY THE VIOLATION;

(III) THE GOOD FAITH OF THE VIOLATOR;

(IV) ANY HISTORY OF PREVIOUS VIOLATIONS BY THE VIOLATOR;

AND

(V) ANY OTHER RELEVANT FACTORS.

(3) THE SECRETARY SHALL PAY ANY PENALTY COLLECTED UNDER THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

Approved April 20, 2001.

CHAPTER 188

(House Bill 109)

AN ACT concerning

Criminal Procedure - Mutual Aid Agreements - Nonemergency Aid

FOR the purpose of expanding the authority of certain governing bodies to enter into certain mutual aid agreements under certain nonemergency circumstances; and generally relating to mutual aid agreements.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 2-105